Courts Administration Service

2008-2009

Report on Plans and Priorities

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Minister of Justice and Attorney General of Canada

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SECTION I—OVERVIEW

Acting Chief Administrator's Message

As Acting Chief Administrator, I am pleased to present the *Report on Plans and Priorities* of the Courts Administration Service ("CAS" also referred to as the "Service") for 2008-2009.

The Service is an independent body created to facilitate coordination and co-operation among the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada (the "Courts"), and to enhance judicial independence by providing administrative services to these four Courts. The Chief Administrator is accountable for the use of public money while safeguarding the independence of the judiciary.

The purpose of this report is to provide Parliament with consistent, comprehensive, balanced and reliable information on the priorities, expenditure plans, expected results and the means to be used to achieve them over the next three fiscal years.

It also presents a detailed picture of results-based planning which we intend to implement in order to fulfill our mandate and progress towards achieving our strategic objective. To that end, the organizational priorities of the Service are as follows:

- modernizing our administrative processes and registry service activities; and,
- establishing a well-designed, dynamic and fully integrated work environment that will enhance our service delivery to clients and the judiciary.

I am proud of the progress we have made since the Service was created in July 2003, following the consolidation of the administrative services of the Courts. However, we still have to overcome challenges in order to successfully complete the transition. To improve service delivery, the organization is actively involved in a number of modernization projects, namely:

- establishing service delivery using a one-stop-shop approach for the Courts we serve; and,
- adopting new technologies to improve access to our services, particularly a new case management system; electronic filing; and filing by fax.

The Service will also face additional challenges this year with the anticipated passage of Bill C-3 (*An Act to Amend the Immigration and Refugee Protection Act)* and the creation of the position of Special Advocate. In this eventuality, the Service's exact role will have to be specified.

The Service is committed to promoting the Federal Government's priorities of increasing accountability and transparency in the sound management of the authorities entrusted to it. In addition, the efforts made to continually improve our management processes have given the Service the organizational skills needed to effectively and efficiently respond to a constantly changing environment. They have also allowed us to develop a certain flexibility which will help us deal with any risks that may arise. Thus, over the next three years, we will continue our efforts to:

- integrate the principal elements of the key management frameworks, specifically the Management Accountability Framework; the Management, Resources and Results Structure; and the establishment of a human resources plan that is integrated into our activities; and,
- develop the concept of measurement, including performance indicators, targets, and service standards.

The skill of our highly-qualified and devoted staff is the key to our success. Thanks to the work of our employees in support of our organizational priorities, the Service will gain recognition as a national and international model of excellence in the administration of justice, giving everyone fast, efficient and fair access to the Courts.

The Service is committed to implementing the measures necessary to ensure that it achieves the results described in this report.

R.P. Guenette

Management Representation Statement

I submit for tabling in Parliament, the 2008-2009 Report on Plans and Priorities (RPP) for Courts Administration Service.

This document has been prepared based on the reporting principles contained in *Guide for the Preparation of Part III of the 2008–09 Estimates: Reports on Plans and Priorities and Departmental Performance Reports*:

It adheres to the specific reporting requirements outlined in the Treasury Board of Canada Secretariat's guidance;

It is based on the organization's strategic outcome(s) and Program Activity Architecture that had been approved by the Treasury Board;

It presents consistent, comprehensive, balanced and reliable information;

It provides a basis of accountability for the results achieved with the resources and authorities entrusted to it; and

It reports finances based on approved planned spending numbers from the Treasury Board of Canada Secretariat.

Name: Raymond P. Guenette
Title: Acting Chief Administrator

Raison d'être

The mandate of the Service is to provide efficient administrative services to the following four courts: the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada. The Service thus enhances judicial independence by placing their judges at arm's length from the federal government, while ensuring greater accountability for the use of public money.

In keeping with our client-based approach, the Service simplifies the requisite steps for litigants bringing their disputes to one of these courts. The Service also facilitates that the cases before these courts are treated fairly, quickly and efficiently.

The Courts

The Courts served by the Service are superior courts of record. They were established by the Parliament of Canada pursuant to its authority under section 101 of the *Constitution Act, 1867*, to establish Courts "for the better Administration of the Laws of Canada".

The **Federal Court of Appeal** (FCA) has jurisdiction to hear appeals of decisions of the Federal Court and the Tax Court of Canada and certain statutory appeals from federal administrative tribunals as stated in legislation. It also has exclusive jurisdiction to hear applications for judicial review of decisions of 14 federal boards, commissions and tribunals listed in section 28 of the *Federal Courts Act* (see http://laws.justice.gc.ca/en/F-7/index.html). Parties to a proceeding in the Federal Court of Appeal may be granted leave, or permission to appeal the decision of the Federal Court of Appeal to the Supreme Court of Canada if the case involves a question of public importance. Pursuant to section 5(1) of the *Federal Courts Act*, the full judicial complement of the Federal Court of Appeal consists of the Chief Justice and twelve judges. On December 31, 2007, the Federal Court of Appeal consisted of a Chief Justice, nine judges and three supernumerary judges. For further information on the Federal Court of Appeal, please refer to http://www.fca-caf.gc.ca.

The **Federal Court** (FC) is both a court of first instance and a judicial review court. It has original, but not exclusive, jurisdiction over cases in which the Crown is a party (including aboriginal law claims) and proceedings involving admiralty law and intellectual property law. It also has jurisdiction over appeals under approximately 100 federal statutes, national security proceedings and applications for judicial review of the decisions of all federal boards, commissions and tribunals other than those over which the Federal Court of Appeal has jurisdiction (see above). Thus, it is the Federal Court that hears applications for judicial review of decisions of the Immigration and Refugee Board. Pursuant to subsection 5.1(1) of the *Federal Courts Act*, the Federal Court consists of the Chief Justice and thirty-two full-time judges. On December 31, 2007, it consisted of the Chief Justice and twenty-eight full-time judges, three supernumerary judges, five deputy judges and five prothonotaries. For more information about the Federal Court, please refer to http://www.fct-cf.gc.ca.

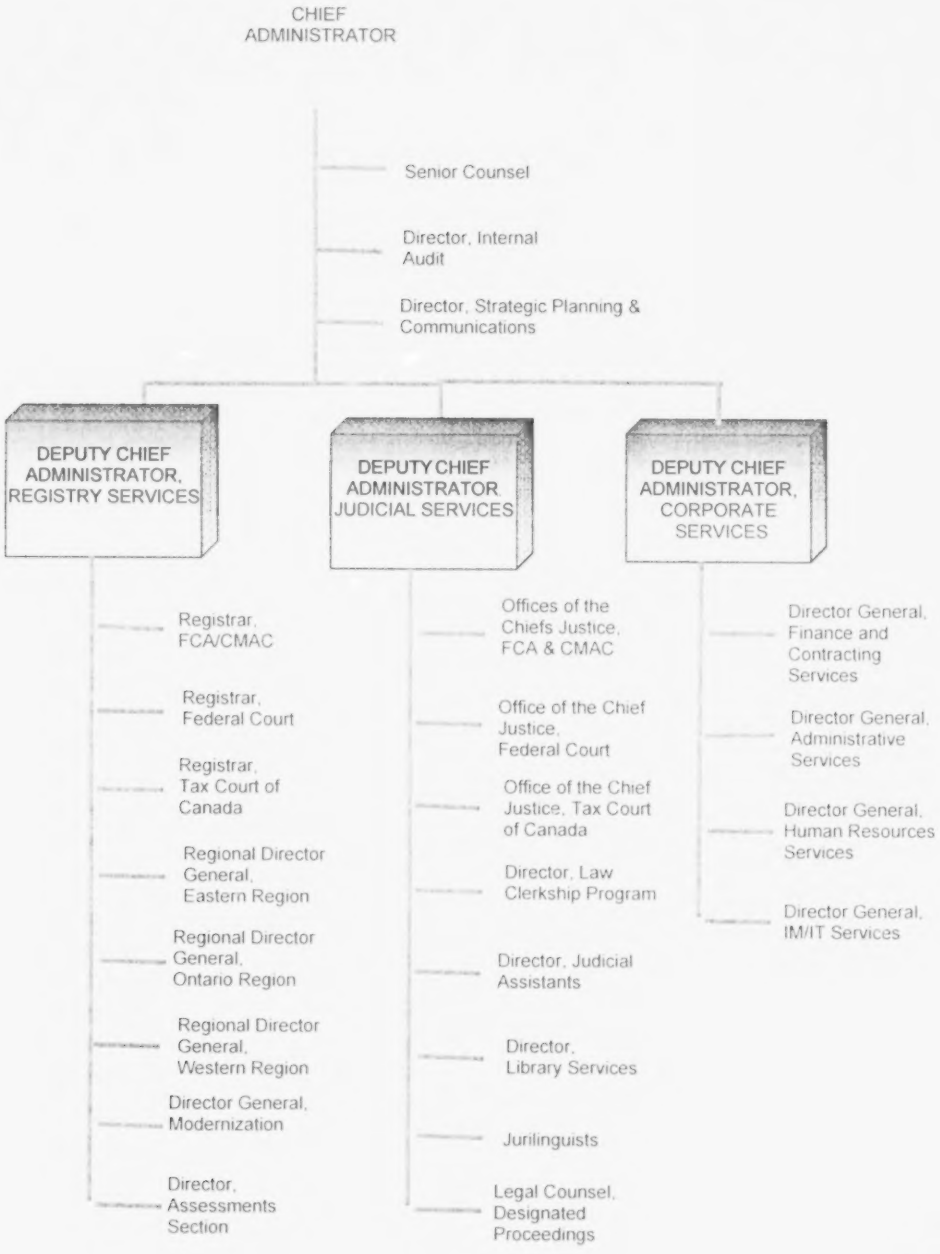
The main function of the **Court Martial Appeal Court of Canada** (CMACC) is to

hear appeals from courts martial, which are military courts established under the *National Defence Act*, and which hear cases under the *Code of Service Discipline* found in Parts III and VII of that Act. Judges of the Federal Court of Appeal and the Federal Court, as well as incumbent trial and appellate judges of the provincial superior courts, are members of this Court. On December 31, 2007, the Court Martial Appeal Court of Canada consisted of a Chief Justice and sixty-two judges. For further information on the Court Martial Appeal Court of Canada, please refer to http://www.cmac-cacm.ca.

The Tax Court of Canada (TCC) has exclusive, original jurisdiction to hear appeals and references under many different Acts of Parliament. Most of the appeals made to the Court relate to income tax, the goods and services tax, or employment insurance. While many appeals are subject to procedures similar to those of the Federal Court, appeals under what is known as the "informal procedure" are heard as informally and expeditiously as circumstances and considerations of fairness permit. Pursuant to subsection 4(1) of the *Tax Court of Canada Act*, the Court consists of a Chief Justice, an Associate Chief Justice and up to twenty judges. On December 31, 2007, the Tax Court of Canada consisted of a Chief Justice, an Associate Chief Justice, eighteen judges, five supernumerary judges and six deputy judges. For further information on the Tax Court of Canada, visit http://www.tcc-cci.gc.ca.

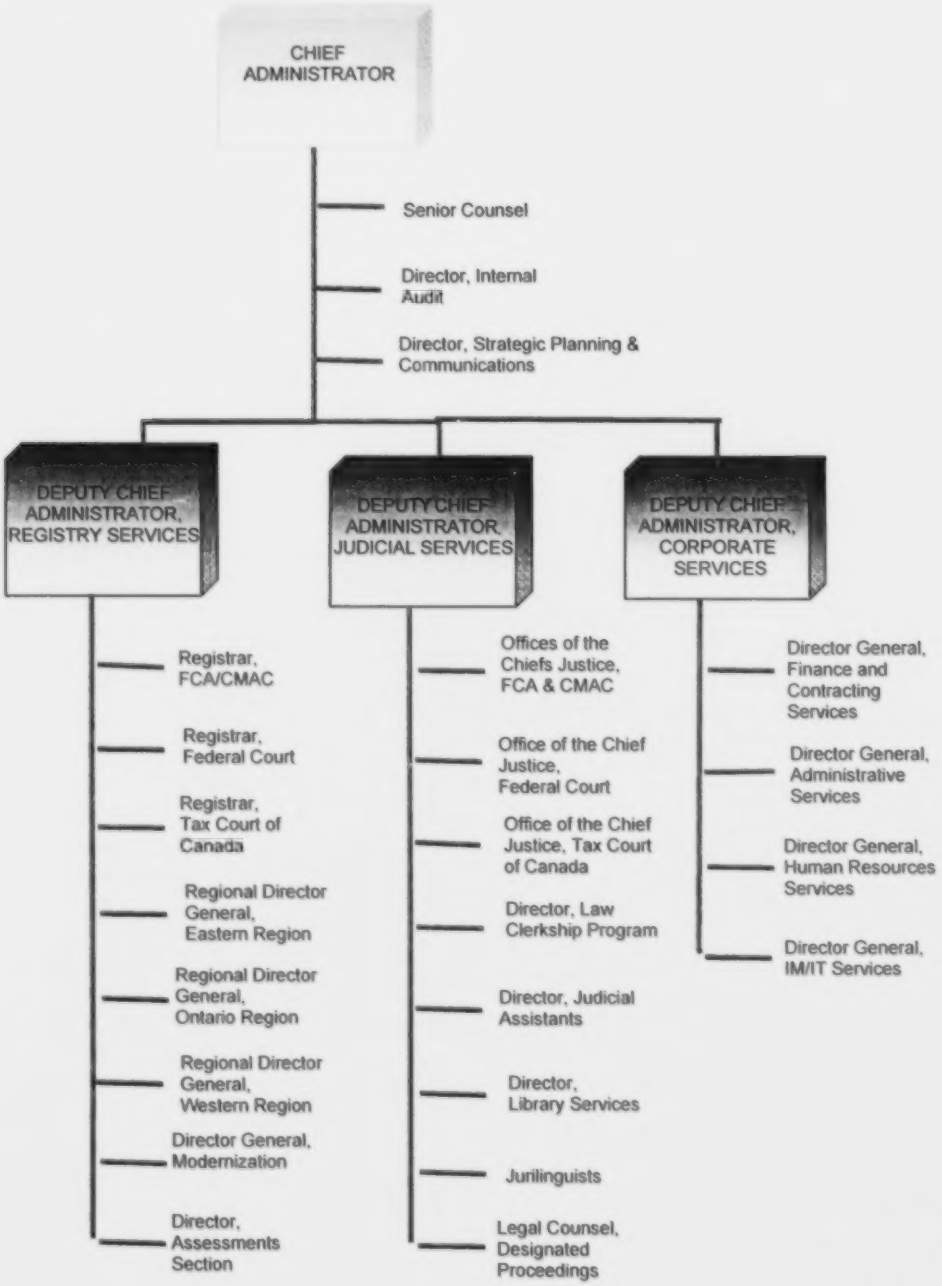
In order to facilitate the public's access to the Courts, the Service has offices in Nova Scotia, New Brunswick, Quebec, Ontario, Manitoba, Alberta and British Columbia. In addition, registry services and courtrooms are provided through agreements with the governments of New Brunswick, Newfoundland and Labrador, Prince Edward Island, Saskatchewan, the Northwest Territories, the Yukon Territory and Nunavut. The Service is present in all Canadian provinces and territories, making it accessible and available to all its clients in a decentralized way.

Organizational Information


CHIEF ADMINISTRATOR
Senior Counsel
Director, Internal Audit
Director, Strategic Planning & Communications
DEPUTY CHIEF ADMINISTRATOR, REGISTRY SERVICES
DEPUTY CHIEF ADMINISTRATOR JUDICIAL SERVICES
DEPUTY CHIEF ADMINISTRATOR, CORPORATE SERVICES
Registrar, FCA/CMAC
Registrar, Federal Court
Registrar, Tax Court of Canada
Regional Director General, Eastern Region
Regional Director General, Ontario Region
Regional Director General, Western Region
Director General, Modernization
Director, Assessments Section
Offices of the Chiefs Justice, FCA & CMAC
Office of the Chief Justice, Federal Court
Office of the Chief Justice, Tax Court of Canada
Director, Law Clerkship Program
Director, Judicial Assistants
Director, Library Services
Jurilinguists
Legal Counsel, Designated Proceedings
Director General, Finance and Contracting Services
Director General, Administrative Services
Director General, Human Resources Services
Director General, IM/IT Services

FCA/CMAC - Federal Court of Appeal
Court Martial Appeal Court of Canada

Organizational Information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Director, Law Clerkship Program
Director, Judicial Assistants
Director, Library Services
Jurilinguists
Legal Counsel, Designated Proceedings
Director General, Finance and Contracting Services
Director General, Administrative Services
Director General, Human Resources Services
Director General, IM/IT Services

FCA/CMAC - Federal Court of Appeal
Court Martial Appeal Court of Canada

Power of the Chief Administrator

Subsections 7(1), (2), (3) and (4) of the *Courts Administration Service Act* set out the powers, duties and functions of the Chief Administrator as follows:

> (1) The Chief Administrator is the chief executive officer of the Service and has supervision over and direction of its work and staff.
>
> (2) The Chief Administrator has all the powers necessary for the overall effective and efficient management and administration of all court services, including court facilities and libraries and corporate services and staffing.
>
> (3) The Chief Administrator, in consultation with the chief justices of the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada, shall establish and maintain the registry or registries for those courts in any organizational form or forms and prepare budgetary submissions for the requirements of those courts and for the related needs of the Service.
>
> (4) The powers of the Chief Administrator do not extend to any matter assigned by law to the judiciary.

Subsection 9(1) adds the following:

> A chief justice may issue binding directions in writing to the Chief Administrator with respect to any matter within the Chief Administrator's authority.

Executive Committee

Purpose

The Chief Administrator of the Service is supported by an Executive Committee in making decisions leading to effective and efficient management and administration of all court services. This committee is the highest-level decision-making body within the organization. The Executive Committee serves as a forum for establishing the strategic direction of the Service and for identifying requirements impacting on the priorities and resources of the Service.

Senior Management Committee

Purpose

The Chief Administrator is assisted in his duties by the Senior Management Committee which is the executive forum tasked to discuss financial, operational, procedural, policy and change management issues and to make recommendations on these matters to the Executive Committee.

Registry Services Management Committee

Purpose

Chaired by the Deputy Chief Administrator, Registry Services, this new committee will provide advice and recommendations to the Executive Committee and the Chief Administrator on key operational issues and activities pertaining to the Registry of the

four courts. This committee will also be the forum for discussing all horizontal management issues relating to the Registry Services.

Human Resources Management Committee

Purpose

The Human Resources Management Committee addresses issues emerging in managing human resources; provides recommendations to the Senior Management Committee; promotes best practices; and reviews HR-related policies and practices. It also provides support to the Employment Equity and Official Languages Champions. The committee evaluates strategic training and development activities and focuses on retention issues, career paths, knowledge transfer and succession planning. It advises on the development and implementation of awards and recognition programs, and reviews requests for educational leave.

National Modernization Committee

Purpose

The National Modernization Committee (NMC) is a forum where partners from offices across the Service who are involved at the operations level meet to present their projects, discuss operational issues and try to harmonize procedures. Their recommendations are presented to the Registry Services Management Committee for consideration.

Program Activity Architecture

Department/Agency	Courts Administration Service

Strategic Results	The public has timely and fair access to the litigation processes of the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada.

Program Activity	1. Registry Services	2. Judicial Services	3. Internal Services
Program Sub-Activity	1.1 Federal Court of Appeal and Court Martial Appeal Court of Canada Registry Operations	2.1 Judicial Executives Services	3.1 Management and Oversight Services
	1.2 Federal Court Registry Operations	2.2 Judicial Assistants Services	3.2 Human Resources, Management Services
	1.3 Tax Court of Canada Registry Operations	2.3 Law Clerk Program	3.3 Financial Management Services
	1.4 Regional Registry Operations – Quebec & Atlantic, Ontario, and Western	2.4 Library Services	3.4 Supply Chain, Management Services
	1.5 Best Practices and Modernization		3.5 Facilities and Assets, Management Services
			3.6 Information, Management Services
			3.7 Information, Technology Services
			3.8 Internal Audit Services
			3.9 Other Support Delivery Services
Program Sub-Sub-Activity			3.9.1 Chauffeurs and Court Attendants Services
			3.9.2 Translation Services

Strategic Relationships

The Service maintains five main strategic relationships:

- ***The Department of Justice and other Federal Departments or Organizations***

Because of the nature of the work, we are maintaining relationships with the Department of Justice and other federal departments or organizations. For example, the Department of Justice is a party to all cases heard by the TCC. With respect to the work done by committees, the Attorney General of Canada designates representatives from the legal profession to sit on the Rules Committees of the Federal Court of Appeal, the Federal Court and the Tax Court of Canada. Two senior representatives from the Department of Justice also sit on the Rules Committee of the Federal Court of Appeal and the Federal Court.

Lastly, the Department of Justice in particular, but also, on occasion, other federal departments or organizations initiate, legislation and policies that are eventually adopted and have a direct bearing on the workload of the Courts. Consequently, these changes have a direct impact on the workload of the Service. For that reason, we pay particular attention to our external environment and continue to monitor new needs.

- ***Provinces and Territories***

Because of our service agreements with our partners, we have eight offices where provincial/territorial employees ensure the presence of the Service. These agreements also allow us to use some provincial/territorial courtrooms and libraries. These partners are strategically very important for us because they enable us to deliver a decentralized and economical service while increasing accessibility to the Courts across Canada.

- ***The Canadian Bar Association and Provincial Law Societies***

Our relationships with these organizations enable us to obtain very useful feedback on processes and procedures, so that we can provide high-quality and even more effective services. These organizations also make us aware of certain realities and specific regional needs, such as matters related to admiralty, employment insurance, immigration and income tax, so that we can better respond to them.

- ***Quasi-Judicial Tribunals and Boards***

The Service's ongoing efforts to achieve cost savings include the sharing of facilities and courtrooms across the country with federal tribunals, boards, commissions and the provinces while keeping in mind sensitivities relating to judicial independence of all Courts.

- ***Citizenship and Immigration Canada (CIC) and the Immigration and Refugee Board (IRB)***

A large portion of the workload of the Federal Court is tied to the number of immigration cases being referred from CIC and the IRB. For this reason, we remain particularly vigilant and maintain a close relationship with these organizations in order to follow the development of their workflow, and accordingly, periodically revisit our operational planning.

Voted and Statutory Items Displayed in the Main Estimates

Vote or Statutory Item	Truncated Vote or Statutory Wording	**2008–09 Main Estimates**	2007–08 Main Estimates
30	Program expenditures	**51.6**	51.3
(S)	Contributions to employee benefit plans	**6.2**	6.5
	Total Department or Agency	**57.8**	57.7

Numbers in tables may not add up due to rounding.

Departmental Planned Spending Table and Full-Time Equivalents

($ millions)	Forecast Spending 2007–08 [1]	Planned Spending 2008–09	Planned Spending 2009–10	Planned Spending 2010–11
Provide Registry Services [2]	37.2	36.2	36.1	36.1
Provide Judicial Services [2]	20.6	21.6	21.5	21.5
Budgetary Main Estimates (gross)	57.7	57.8	57.5	57.5
Total Main Estimates	57.7	57.8	57.5	57.5
Adjustments				
Supplementary Estimates				
Program Integrity Funding [3]	3.0			
Implementation of Public Service Modernization Act	0.6	0.3		
Other [4]				
Internal Audit – TB Vote 10	0.1			
Collective Bargaining Agreements – TB Vote 15	0.2	0.3	0.3	0.3
Operating Budget Carry-Forward – TB Vote 22	1.7			
Paylist Requirement for Shortfalls – TB Vote 23	1.5			
Response to the Supreme Court of Canada Decision – a bill to amend the *Immigration and Refugee Protection Act* (Bill C-3)		3.8	3.7	
Federal Accountability Action Plan	0.0	0.5	0.3	0.3
Total Adjustments	*7.1*	*4.9*	*4.3*	*0.6*
Total Planned Spending	*64.8*	62.7	61.8	58.1
Less: Non-respendable revenue [5]	8.0	4.5	4.5	4.5
Plus: Cost of services received without charge	24.7	25.7	25.6	25.7
Total Departmental Spending	81.5	83.9	82.9	79.3
Full-Time Equivalents	630	630	630	630

(1) Reflects the best estimate of total forecast departmental spending to the end of the fiscal year, including employee benefits.

(2) The Internal Services Program Activity has been reallocated to the remaining program activities on a pro-rata basis.

(3) This funding is required for the additional fees for deputy judges, prothonotaries' salaries and their administrative support.

(4) Treasury Board Vote 10 is funding for horizontal government initiatives. In this case, it is principally related to the establishment of an independent Audit Committee and additional audit work. Treasury Board Vote 15 is for compensation for collective bargaining agreements. Treasury Board Vote 22 is a newly created vote to increase transparency for an organization's normal carry-forward from a previous fiscal year. Treasury Board Vote 23 is a newly created vote to increase transparency in the funding of an organization's pay list shortfalls such as parental benefits, severance pay or vacation pay on departure from the Public Service.

Amounts for the Federal Accountability Action Plan were provided to CAS by the Treasury Board Secretariat. The Courts Administration Service was not involved in the development of this horizontal initiative, therefore CAS cannot comment on the validity of these numbers to meet the Government's intended objectives.

(5) See table "Sources of Respendable and Non-Respendable Revenue" for more information.

http://www.tbs-sct.gc.ca/est-pre/20082009/p3a_e.asp

Numbers in tables may not add up due to rounding.

Summary Information

Financial Resources

2008–09	2009–10	2010–11
$62.7M	$61.8M	$58.1M

Human Resources

2008–09	2009–10	2010–11
630	630	630

Departmental Priorities

Name	Type
1. Program Priority Modernization of our business processes and registry services operations.	ongoing
2. Management Priority Implementation of a comprehensive, dynamic and fully integrated work environment to support the delivery of our services to clients and the judiciary.	ongoing

Program Activities by Strategic Outcome

($ millions)	Expected Results[14]	Planned Spending			Contributes to the following priority
		2008–2009	2009–2010	2010-2011	
Strategic Outcome:	The public has timely and adequate access to the litigation processes of the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada.				Priorities 1 & 2
Registry Services	Awareness and understanding of the litigation processes in order to ensure that the public and parties have access to the courts; Access to the courts as quickly as possible with as little burden as possible through client service, quality of advice, efficient and timely processing, and impartial service delivery; Smooth and appropriate functioning of hearings; A sustainable system of services to the courts that make better use of technology, optimize resources and ensure value for money spent.	39.5	39.0	36.4	Priority 1 and 2
Judicial Services	Judges have the tools and resources they need to perform their functions in a timely manner; Members of the bar and litigants have an increased understanding and awareness of how the courts work; Key stakeholders and the general public have timely information about court proceedings and about judgments rendered; Better response to the needs of the bar and litigants due to a better understanding of their needs.	23.1	22.8	21.7	Priority 2

Organisational Plans and Priorities

Rationale behind the Priorities

Priority 1:

Modernization of our business processes and registry services operations.

The Service will continue to explore and make use of new technologies to provide more effective, efficient and timely services to the Judiciary and the public. The trend in courts nationally and internationally is to move towards automated case management systems where all incoming documentation and information is captured digitally and managed electronically, in addition to maintaining the official physical court file.

To that end, the Service is undertaking the design and development of a modern case management system that will support the four Courts and their clients. Capturing incoming documents and other information digitally necessitates investments in the areas of electronic filing, document scanning, electronic receipt of faxes, digital recording of court proceedings, electronic distribution and publication of judgments and other similar technologies.

The design phase provides the Service with a perfect opportunity to review internal business processes, harmonize the way business is conducted across the four Courts, and suggest changes to legislation and the Rules of the Courts to allow for improvements in service delivery.

The realization of this ambitious goal will result in improved and timely access to information by both internal and external clients, and will facilitate access to the judiciary in general.

Furthermore, as part of the Service's mission to consolidate services for the Courts, a central Assessment Section was recently established with responsibility for assessing costs awarded to litigants by the four Courts.

Priority 2:

Implementation of a comprehensive, dynamic and fully integrated work environment to support the delivery of our services to clients and the judiciary.

Since the Service was created in July 2003, we have made much progress in the area of integrating and aligning administrative services. However, we still have to overcome challenges in order to successfully complete this transition and establish service delivery that is based on a single-window model.

The Service therefore continues its involvement in a number of modernization projects, namely:

- adopting new technologies to improve access to our services, particularly a new case management system, electronic filing, and filing by fax;
- geographically consolidating our registry operations and corporate services in the Ottawa region;
- developing and delivering operational training sessions for registry staff that serve the Courts.

Another key element will, of course, be human resources planning that is integrated with our financial resources and activities. We expect to complete this task in the fiscal year 2008-2009. At the same time, efforts will be made to implement and operationalize of the *Public Service Modernization Act*, in such areas as staffing, policy and procedures development, and competency profile development.

We will place special emphasis on developing and using integrated management tools that allow us to ensure greater accountability and improve transparency in our use of public funds to achieve our expected results; such tools include the management performance framework, performance and resource management system, management framework, and so on.

Finally, in 2008/09, the Service may have to undertake a large project to support Bill C-3 which will amend the *Immigration and Refugee Protection Act* (IRPA) provisions dealing with security certificates and special advocates. In this case, the Service will be working closely with its partner, Public Works and Government Services for the construction of additional facilities and will also be hiring additional staff to implement this proposed Government Bill.

Operational Environment

Challenges and Risk Management:

- **Small Organization**:

Some of the challenges that the Service faces are inherent in its status as a small organization within the public service. Our resources are relatively limited and, consequently, our flexibility is restricted.

For example, the government established a number of measures and reviews in resource management that require the sustained attention of departments and organizations. The implementation and completion of projects such as the expenditure review, the modernization of the public service, the Management Accountability Framework, the improvement of internal audits and the evaluation functions, require specialized expertise. Although our internal resources are not yet developed, we must comply with the same requirements and expectations of the central agencies as large departments. To respond to these demands, we have to use outside firms, which increases the internal pressures on our financial resources. In addition, these firms are not able to adequately identify our organizational culture and our complex operational reality, which exposes us to conclusions that do not always accurately reflect the Service.

- **Human Resources:**

Being a small organization also means that the possibilities for advancement within the Service are fairly limited. This situation causes serious problems in the recruitment and retention of employees, particularly in some occupations that are already facing labour shortages in the public service. For example, recruiting professionals in finance, staffing and compensation is a pressing problem for us. This situation can only get worse with numerous people retiring, a trend that is accelerating throughout the entire public service. That is why the Service will put the emphasis on developing a plan that integrates human resources with activities and identifies optimum strategies for recruiting, retaining and training our work force.

- **Specialized Nature of the Work:**

In addition to succession, the specialized nature of the work at the Registry creates a challenge. The work of registry officers requires skills and particular knowledge that are acquired over a number of years. These employees, therefore, need to have access in a timely manner to orientation and training programs to accelerate the process of knowledge transfer. The operational training section was established to respond to this need and will continue to offer essential basic training to all our officers across the country.

- **Perception of Judicial Independence:**

The Service continues to be the link between litigants and the judges so as to ensure judicial independence. The public perception of judicial independence is fundamental to the proper functioning of the Canadian judicial system. Accordingly, the Service will

continue to participate in different joint committees with its partners and to meet with various stakeholders so that the general public can better understand its role.

- **Statutory and Concurrent Jurisdictions:**

The Service serves four courts that have statutory jurisdiction. This implies, among other things, that our workload is affected by possible legislative changes. In addition, some of the Courts we serve have concurrent jurisdiction with superior courts. Thus, in some cases, clients have the choice of the judicial forum in which to bring their disputes.

We have very little control over these two factors that directly impact our operations. This results in an uncertain and unpredictable workload. In order to respond more effectively to these changing external conditions, we plan to adopt a solid risk management program that will make the Service more flexible and adaptable. We also remain vigilant and are sensitive to our external environment.

The Service is also affected by government-wide initiatives. With the anticipated passage of Bill C-3 and the institution of a Special Advocates regime, the Service has agreed to accommodate and provide administrative support to Special Advocates in the context of their review of classified material on the Service's premises. This will not only put pressure on the Service's operations, but will also require the Service to see to it that such provision does not hinder the Service from accomplishing its main objective, which is to support the judiciary.

SECTION II—ANALYSIS OF PROGRAM ACTIVITIES BY STRATEGIC OUTCOME

Analysis by Program Activity

Detailed Analysis of Program Activities

The Service has only one business line, providing administrative services to the Courts. Its objective is to provide Canadians with the services needed to ensure responsible use of public money, to support the administration of the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada, and to facilitate access to the Courts without compromising the principle of judicial independence. This business line is divided into three interrelated programs: Registry Services, Judicial Services and Internal Services.

Strategic Outcome:

The public has timely and adequate access to the litigation processes of the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada.

Program Activity Name: Registry Services

Financial Resources

2008–09	2009–10	2010–11
$39.5M	$39.0M	$36.4M

Human Resources

2008–09	2009–10	2010–11
409 FTE	409 FTE	409 FTE

FTE – Full Time Equivalent

Program Activity Description in Accordance with Program Activity Architecture (PAA)

The Registry Services process legal documents and applications for judicial review under the jurisdiction of the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada. It also ensures the proper court records management and adequate operation of the litigation and court-access process.

Expected Results	Performance Indicators
Awarness and understanding of the litigation processes in order to ensure that the public and parties have access to the courts	Level of awareness and understanding of litigation processes; Number and quality of information products;
Access to the courts as quickly as possible with as little burden as possible through client service, quality of advice, efficient and	Number and type of proceedings by office location and language; Average turnaround time by type and level of complexity of proceedings;

timely processing, and impartial service delivery	Number of recorded entries by region;
Smooth and appropriate functioning of hearings	Extent of satisfaction of the judiciary and parties involved in the hearings with respect to key client service features such as appropriateness of facilities, staff, equipment, safety and security at hearings, etc.;
A sustainable system of services to the courts that make better use of technology, optimize resources and ensure value for money spent	Results of modernization initiatives in terms of improvement to internal processes, case management, better use of technology, etc.;
	Extent of integrated processes across courts.

Program Activity Name: Judicial Services

Financial Resources

2008–09	2009–10	2010–11
$23.1M	$22.8M	$21.7

Human Resources

2008–09	2009–10	2010–11
221 FTE	221 FTE	221FTE

FTE -Full Time Equivalent

Program Activity Description in Accordance with Program Activity Architecture (PAA)

The Judicial Services, which provides direct support to all the Justices, includes judicial assistants, law clerks who assist judges in their research and in editing judgments, as well as library services, which provides information in support of the decision-making process.

Expected Results	Performance Indicators*
Judges have the tools and resources they need to perform their functions in a timely manner	Level of satisfaction of the judiciary with services provided (e.g., quality of work, tools and resources, timeliness of services, access to centralized services, hours of operation, availability of on-site support when required, etc.) versus importance of those services to the judiciary and actual levels of service provided;
Members of the Bar and litigants have an increased understanding and awareness of how the courts work	Feedback from Bar and litigants;
Key stakeholders and the general public have timely information about the status of court proceedings and about judgments rendered;	Level of satisfaction of key stakeholders and the general public with timely and accurate information;
Better response to the needs of	Extent to which CAS has implemented suggestions from

the Bar and litigants due to a better understanding of their needs	Bar and litigants; Level of satisfaction of Bar and litigants with responsiveness of CAS.

Program Activities Supporting Priority 1

Priority 1: **Modernization of our business processes and registry services operations.**

Program Activity: Provide Registry Services

Key Initiatives

The realization of a new integrated Case Management System (CMS) is considered a vital strategic step in our efforts to modernize the services provided by the organization to the Courts and their clients. A new CMS will establish a core set of case management functionalities for the business of all four Courts. As new capabilities are introduced in the CMS, the dependency on, and the need for the current automated systems in place (Proceedings Management System for the Federal Court and the Court of Appeal, and Appeals Systems Plus for the Tax Court) will be eliminated over a period of several years. Therefore the development of the Service's new CMS will continue to be a priority in 2008-2009.

Phase 2 of the development of the CMS can be envisaged as the development of a single electronic repository for the receipt, storage and subsequent management of all court documents and other information received. The completion of this phase will follow the successful integration of five key initiatives (described below) either currently being developed or already in pilot mode.

The ultimate vision is for an electronic court file which mirrors the contents of the official hard-copy file, which is readily accessible by Registry staff and the Judiciary. Having the contents of the official court file captured and mirrored in a digital environment constitutes a significant risk management strategy for the Service, and facilitates Business Continuity Planning as well.

E-Filing

Electronic filing (e-filing) is a web-based means of facilitating the interaction of parties with the Registry of the Courts. Documents can be submitted at any time of the day through secure channels, providing an additional and efficient means of access to the Courts. Depending on the Court, rule changes are either being considered or have already been made, eliminating the need for parties to submit hard-copy versions when electronic filing is used.

For the client, advantages include ease of access, timeliness, convenience and cost savings in their dealings with the courts. For the Registries, e-filing allows documents to be captured and managed electronically, and brings reduced processing costs and improved service to the public. E-filing is an integral component of the move to the creation of a new case management system for the four Courts whereby all court documents will be captured, stored and managed in a central repository.

Digital Recording

Another trend in courts and tribunals is moving away from having a court reporter present to record the hearings on analog cassettes to the use of digital recording solutions, which capture the audio and save it in digital format on a computer server. This allows the audio recording to be integrated into the electronic repository for immediate access and playback by Registry staff and the Judiciary.

The use of contract court reporters is extremely expensive and introduces delays in the disposition of a case if the presiding Justice requires a hard-copy transcript to be produced by the firm. In addition, it is a risk to the Courts in that the availability of quality court reporters is not consistent. Direct access to audio playback through the use of digital recording will eventually eliminate the Courts' need for most transcripts, and in the interim will eliminate the need to pay for a court reporter to be present at the hearing. These are significant savings that can be realized by the Service as we move to implement this technology solution.

E-Scanning

There is a pilot project currently under way, which consists of scanning and transmitting in digital format all documents requested by our Toronto Regional Office from the Registry in Ottawa. This has significantly reduced printing, copying and shipping costs between these two points of service. With advancements in technology, the introduction of "smart", multifunctional and all-in-one solutions that provide print, fax, photocopy and scanning capabilities in one network machine is now commonplace and will be implemented across the Service in due course.

This is another key element in the electronic capture of court documents; the long-term objective is to scan all hard-copy documents received by the Registries in order to upload them into the Case Management System.

E-Faxing

The e-faxing project consists of the electronic receipt of documents faxed by litigants to the Registries. This process is transparent to the Courts' clients, and it allows digital uploading of documents received by fax into the Case Management System. This technology has been in place for several years at the Registry of the Tax Court and a similar solution will be proposed for all points of service.

Transmittal of Judgments, Orders and Reasons

The Judgments, Orders and Reasons Project currently under way enables the Service to store and access Judgments, Orders and Reasons issued in a single electronic repository and eliminates significant handoffs of paper copies. Timely transmission of Judgments, Orders and Reasons to parties will be improved and automated, with an eventual anticipated reduction in costs related to use of registered mail and other methods of delivery. A standardized naming convention for these documents will be put in place in order to allow for efficient uploading into the new Case Management System.

The next three years:

We are working with the Treasury Board Secretariat to discuss funding options to allow the Service to move forward in a timely fashion with the implementation of these projects and to modernize the registry services of the four courts.

The plan for 2008-2009 is to migrate functionalities from existing case management systems to allow all file/case details to be entered into the new CMS. Recorded entries will also be supported for all courts using the new application.

The CMS will be expanded with a scheduling module planned for 2009-2010. This phase will deliver a common interface for the new CMS for all scheduling information such as hearings, sittings, courtrooms, and judges' schedules. Schedule data can be shared between courts.

A correspondence module will also be developed in 2010-2011. This phase will allow for outgoing correspondence to be generated for all courts using server-based technology. It will also provide storage for all documents in a central document management server.

The timelines for all phases above are subject to adjustment to ensure client requirements are met throughout.

Program Activities Supporting Priority 2

Priority 2:	**Implementation of a comprehensive, dynamic and fully integrated work environment to support the delivery of our services to clients and the judiciary.**

Program Activity: Registry Services

Key Initiatives

Physical Consolidation and Harmonization of Staff in the NCR

Employees located in the Lorne Building in Ottawa provide registry services for the Federal Court of Appeal and the Federal Court. The Lorne Building has been home to the Registry since 1992. Health and safety issues, ranging from asbestos contamination to poor air quality, have always been a problem in this facility. In recent years, the Service has increased its efforts to persuade Public Works and Government Services Canada (PWGSC) to find replacement space and to relocate its employees to a more suitable and healthy work environment.

The Service's persistence has proven successful. PWGSC has identified and committed space in the Thomas D'Arcy McGee Building (TDM) to accommodate the Registry Services. Planning is underway and the Registry will move out of the Lorne Building in the fall of 2008. This project will result in further consolidation of the Service's operations under one roof. Funding options for the fit-up portion of this project will be pursued with PWGSC since the Lorne Building is earmarked for demolition and reconstruction within a few years.

In the longer term, the Service will continue to negotiate arrangements with PWGSC to consolidate all of its operations in the TDM building as space becomes available for occupancy.

Human Resources

The Human Resources Services Division is actively involved in managing the rewriting of generic Registry work descriptions. Having current and complete work descriptions will facilitate the movement of employees within Registry Services and meet the new requirements of the CMS. The Learning Centre will work closely with the Operational Training Unit in support of this modernized CMS to ensure that Registry staff is fully trained. This project will be completed over the next few fiscal years.

Operational Training Division

This division's mission is to provide timely quality training to employees at the Service, who serve the four courts. This includes preparation, development and delivery of an operational training program adapted to the current and future needs of the organization. An average of 75 training sessions is offered yearly in both official languages, at the employee's choice.

In this strategic period of succession planning, training is an essential element for employee retention and career development. Among the priorities for the coming year, integrating learning principles relating to digital recording in courtrooms into the courses and contributing to the development of a training and leadership program for the organization are of note. Cross-training Registry employees to serve the public from a common access point is ongoing.

Moreover, developing certain online courses as self-directed training is highly desirable and should be the subject of a thorough study in 2008-2009.

Modernization of Human Resources

The Service received funding from the Special Investment Fund for the implementation of Human Resources Modernization under the *Public Service Modernization Act*. To this effect, a contract was signed in January 2008 covering the period January 2008 to March 2009 to work on the following initiatives:

- ensuring all managers have an integrated business and human resources plan
- development of policies and procedures (resulting in full sub delegation of staffing authorities to managers by March 2009)
- development of a communications strategy
- development of monitoring frameworks
- learning/training

Internal resources will develop competency profiles and educational requirements for all positions.

Management Accountability Framework (MAF)

The Service went through its first MAF exercise in 2006. A detailed action plan will be prepared and implemented over the next fiscal year to prepare the organization for the 2008 MAF assessment.

Reporting, Accountability and Transparency

The Service is determined to follow and promote the federal government's priorities in terms of accountability, reporting and transparency. We are renewing our efforts to improve our management procedures to develop our performance measures and to adopt a healthy risk-management approach. These new work methods will allow us to gain greater flexibility and encourage innovation to more effectively handle our ever-changing operational environment. Therefore, over the next three years, we will pursue our efforts as follows:

integrate the principal elements of the key management frameworks, specifically the management performance framework, the system for managing results and resources and the establishment of a human resources plan that is integrated into our activities;

develop the concept of measurement, including performance indicators, targets, and service standards.

In the short term, over the next fiscal year, the Service will prepare and implement a detailed action plan to respond to the 2006 Management Framework exercise.

Governance Model

A new governance model outlining the decision-making process within the Service will be developed this fiscal year. The framework will delineate the structure, terms of reference and membership of the various committees established to provide sound decision-making and direction within the Service.

Program Activity: Judicial Services

Key Initiatives

The Service, through ongoing dialogue with the Courts, the relevant Bar Associations and the Rules Committee, and by employing emerging technologies such as electronic service of legal documents and electronic issuance of Court Directions and Judgments, will strive to improve the Courts' accessibility.

In order to improve court practices and procedures, biannual meetings are held with the National Canadian Bar Association and the Bar Liaison Committee and other specialized practice groups to exchange information on Court practice issues and initiatives and to ensure a better understanding of how the Courts work. Also, Court hearings are held at law faculties to facilitate understanding of the Courts' work.

In order to improve client services, the Service will work with the Courts to develop court practice guides for self-represented litigants.

The upgrade and expansion of the integrated library management system with remote hosting of its database and the expansion of access to electronic information sources will improve access to alternate sources of information for the Judiciary, members of the Bar and self-represented litigants.

SECTION III—SUPPLEMENTARY INFORMATION

Departmental links to the Government of Canada Outcomes

Strategic Outcome - The public has timely and fair access, to the litigation processes of the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada.					
		Planned Spending			Alignment with Government of Canada Outcome Area
	Expected Results	2008–2009	2009–2010	2010–2011	
Registry Services	Awareness and understanding of the litigation processes in order to ensure that the public and parties have access to the courts; Access to the courts as quickly as possible with as little burden as possible through client service, quality of advice, efficient and timely processing, and impartial service delivery; Smooth and appropriate functioning of hearings; A sustainable system of services to the courts that make better use of technology, optimize resources and ensure value for money spent.	39.5	39.0	36.4	Government Affairs
Judicial Services	Judges have the tools and resources they need to perform their functions in a timely manner; Members of the bar and litigants have an increased understanding and awareness of how the courts work; Key stakeholders and the general public have timely information about court cases with respect to status of proceedings and judgments rendered; Better response to the needs of the bar and litigants due to a better understanding of their needs.	23.1	22.8	21.7	Government Affairs

Canada's Performance 2006 is divided into four key policy areas: economic, social, international, and government affairs. The Service's strategic outcome is aligned with the area of government affairs as it provides support to the Courts which, by their decisions, assist the machinery of government, while maintaining judicial independence.

Tables available electronically

The following tables can be found at
http://www.tbs-sct.gc.ca/est-pre/20082009/p3a_e.asp

Internal Audits
Services Received Without Charge
Sources of Respendable and Non-respendable Revenue

SECTION IV—OTHER ITEMS OF INTEREST

Description of Program Activity - Corporate Services

Provide Corporate Services such as finance, human resources, information management / information technology, telecommunications, facilities, translation, strategic planning, communications, internal audit, general administration and security to the Courts and to the Service itself.

Significant Financial Issues for 2008-2009

The following items are the most important financial issues that will need to be resolved in 2008-2009 and future years.

The first item relates to unfunded salary and travel expenses of Prothonotaries, new Deputy Judges' expenses, including their fees and travel expenses, ongoing lengthy trials (e.g. involving Aboriginal matters) and certain new key positions that were required as a result of the Service's merger in 2003. The Service has been able to secure a temporary source of funding for 2008-2009 for the aforementioned expenses, but requires a permanent solution to this ongoing issue for its future stability.

Another large project contemplated in 2008-2009 is the consolidation of the operations of the Registry personnel from the Lorne Building (90 Elgin Street) with the judges at the Thomas D'Arcy McGee Building (90 Sparks Street). However, although though the long-term plan is to consolidate the functions of all the Service personnel into one building in order to achieve efficiencies and economies, there is no source of funding for this project.

Finally, as part of the Budget Plan 2007, the Government indicated that savings for the procurement reform initiative announced by the previous government had been significantly overestimated. However, the Government of Canada has indicated that savings for 2008-2009 and beyond will still need to be achieved through overall cost efficiencies, including continued efforts to reduce procurement costs. The Service will now be expected to save $0.65M in 2008-2009 and future years through overall cost efficiencies. The cuts attributed do not necessarily represent the actual amount of savings that can be generated by the Service and could impact on the operations of the organization.

Facilities Management and Capital Projects

The Service accommodation portfolio remained static through 2007. There were no expansions or reductions of space. However, the Service expects to be very active on this front in the years ahead as it continues to negotiate with PWGSC the consolidation and optimization of its accommodation portfolio across Canada. In the National Capital Region (NCR), the Service will be assisting PWGSC in completing the relocation of its Registry operations from the Lorne Building to the Thomas D'Arcy McGee Building (TDM). This move will be the first concrete step in achieving full consolidation in the NCR. In addition, the Service will continue to lend its expertise to PWGSC in its quest to finalize the development of Judicial/Quasi-judicial Fit-up Standards. Other related initiatives the Service is working on include: the development of long-term accommodation requirements for the Montreal Regional Office and the consolidation of the Courts secure hearing facilities in the TDM building scheduled for the spring of 2009.

Furthermore, with the passage of Bill C-3, the Service will require a significant increase in safety accommodations to compensate for the anticipated increase in hearings, as well as to help the new Special Advocates in their review of classified material on its premises.

Appendix I: Other Information

Contacts for Further Information

Further information on the strategic planning portion of this document can be obtained by contacting:

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Thomas D'Arcy McGee Building **90 Sparks Street** **Ottawa, Ontario** K1A 0H9 Federal Court of Appeal, Federal Court and Court Martial Appeal Court of Canada, courtrooms and Judges' chambers	**434 Queen Street** **Ottawa, Ontario** K1A 0H9 **Corporate Services for the Courts Administration Service** Telephone: (613) 996-4778 Facsimile: (613) 941-6197

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CMAC - Court Martial Appeal Court of Canada
TCC - Tax Court of Canada

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P.O. Box 51
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	TCC	1-800-927-5499
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2 — Registry of the Tax Court of Canada (London)
3rd Floor, 231 Dundas Street N6A 1H1

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	1-800-927-5499
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Registry of the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada

30 McGill Street H2Y 3Z7

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	TCC	(514) 283-9912
	or	1-800-927-5499
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